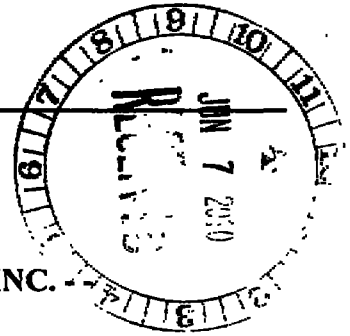


Before the  
SURFACE TRANSPORTATION BOARD

FINANCE DOCKET NO. 35348

CSX TRANSPORTATION, INC. AND  
DELAWARE AND HUDSON RAILWAY COMPANY, INC.  
JOINT USE AGREEMENT



NOTICE OF INTENT OF  
NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION  
TO PARTICIPATE

NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION ("NYCEDC")  
hereby submits its notice of intent to participate as a party of record in this proceeding. Please  
add NYCEDC to the service list in this proceeding and serve all filings, decisions and notices in  
this proceeding on:

Charles A. Spitulnik  
Allison I. Fultz  
Kaplan Kirsch & Rockwell LLP  
1001 Connecticut Avenue, N.W.  
Suite 800  
Washington, D.C. 20036  
[cspitulnik@kaplankirsch.com](mailto:cspitulnik@kaplankirsch.com)  
[afultz@kaplankirsch.com](mailto:afultz@kaplankirsch.com)

Dated: June 7, 2010

Nicholas Lundgren  
Senior Counsel  
New York City Economic Development  
Corporation  
110 William Street  
New York, NY 10038  
[nlundgren@nycedc.com](mailto:nlundgren@nycedc.com)

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Charles A. Spitulnik', written over a horizontal line.

Charles A. Spitulnik  
Allison I. Fultz  
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1001 Connecticut Avenue, N.W.  
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[afultz@kaplankirsch.com](mailto:afultz@kaplankirsch.com)

## **CERTIFICATE OF SERVICE**

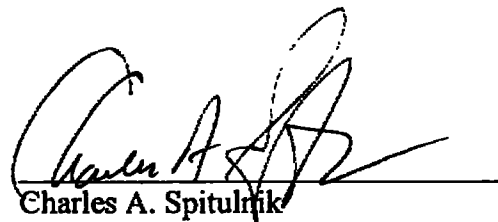
I hereby certify that I have this 7<sup>th</sup> day of June, 2010, caused to be served a copy of the foregoing NOTICE OF INTENT OF NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION TO PARTICIPATE upon the following persons by first class mail with postage prepaid:

Terence M. Hynes  
Jeffrey S. Berlin  
Matthew J. Warren  
Sidley Austin LLP  
1501 K Street, N.W.  
Washington, DC 20005

Hon. Ray LaHood  
Secretary of Transportation  
U.S. Department of Transportation  
1200 New Jersey Avenue, S.E.  
Washington, DC 20590

Louis E. Gitomer  
Melanie B. Yasbin  
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Towson, MD 21204

Hon. Eric Holder  
Attorney General of the United States  
c/o Assistant Attorney General  
U.S. Department of Justice  
Antitrust Division, Room 3109  
Washington, DC 20530



Charles A. Spitulnik